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SUBJECT: Sudan/Darfur - Ibok and Kingibe Describe
Declaration of Accession for late adherents to the DPA;
Troika partners still want to court Abdul Wahid

¶1. Summary: AU's Ibok and Kingibe discussed with Embassy further steps related to DPA implementation, including support for the "peace secretariats." There will be a "signing ceremony" Wednesday in Addis for 40-60 individuals for whom Declarations of Accession to the DPA have been especially drafted. Those who sign will have a legal and political status less than that of the original signatories, but the AU has determined this is a way of encouraging broader support. Plans for the Darfur-Darfur dialogue are proceeding. There seems to be some sympathy for continued courting of Abdul Wahid among some of our Troika partners: see para. 7 for recommendation. End Summary.

¶2. On June 4, Charge Steinfeld, USAID Director Almquist and USAID/OTI Officer Briggs met with AU Ambassadors Sam Ibok and Baba Gana Kingibe to advance USG support for DPA implementation. This was the first opportunity for us to brief Ibok, newly arrived in Khartoum to head the AU's Darfur Peace Agreement (DPA) Implementation Team, on USG support. Ibok warmly welcomed USG assistance in establishing offices in Khartoum and El Fasher to support the AU's DPA implementation efforts and provide a base of operations for DPA signatories. He also requested suggestions of Darfur experts who already know the situation and the players on the ground to support the AU and help shore up SLM-Minawi in implementation. Several names were discussed in this regard, and Ibok encouraged the USG to pursue two of them who would be immediately acceptable to the AU and to the SLM. USAID is following up.

The DPA is closed; but association is possible

¶3. Ibok was very clear that Minawi is the only official partner with the Government in the DPA, and therefore every effort must be made to increase his capacity to follow through on implementation. The AU has firmly considered the document closed for signature since May 31. The only remaining option is signature of a Declaration of Accession (see para. 8), expressing association with and support for the DPA. The AU Peace and Security Council may meet on Tuesday, according to Ibok and Kingibe, although they were not certain where the discussion would come out with respect to consequences for non-signers, other than that the DPA is closed to further signatories. Debate going into the meeting appears to center on whether simply not signing the agreement is sufficient reason to sanction individuals or otherwise impose penalties on them. The position of the AU seems to be that this alone is not enough, but that any evidence of concrete action to undermine the DPA would warrant a strong response, possibly through travel bans and asset freezes or other actions. All noted this would be consistent with UNSC Resolution 1591. (Ibok and Kingibe thought it would not be legally tenable to sanction individuals simply for not signing an agreement; they noted,

however, that some of African leaders were taking a harder line.)

"Signing ceremony" planned

¶4. Ibok and Kingibe described plans for "dissident" representatives of SLM-Abdul Wahid and JEM-South Darfur to sign Declarations of Accession to the DPA in a ceremony in Addis on Wednesday, June 7. Kingibe extolled the idea of the ceremony as a way to signify increased support for the beleaguered agreement. The Government's chief negotiator on Darfur, Maghzoub Khalifa, is expected to participate in the ceremony and is reportedly extremely eager for it to take place. Kingibe wondered whether it might not also be appropriate for Minni Minawi to be there as well, and for both to witness the Declarations. Charge and USAID Director discouraged this idea as elevating the signing too much, when others have already associated themselves with the agreement without this formality, and noted that the official signing ceremony had already taken place in Abuja. Almquist reported that Minawi is increasingly concerned about the delays in implementation of the DPA, particularly the security arrangements, and another signing ceremony would only reinforce to his commanders that the original ceremony was not meaningful. Ibok speculated that Khalifa's intense eagerness for the ceremony to take place belies a desire by the Government both to replace Abdul Wahid, and to weaken Minni. Wahid's chief negotiator, Dr. Abdurrahman Mussa, and senior political advisor, Ibrahim Maddibo, are among the forty to sixty individuals reportedly already in Addis prepared to sign. Mussa and Maddibo have requested that the AU recognize them as the official leadership of SLM-AW, but the AU is declining, arguing that it is not their

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place to "anoint" new leadership for the SLM, that this can only be done through a process of popular consultation in Darfur. Leaders of JEM-South Darfur are also due to sign a Declaration of Accession on Wednesday.

UK (and Norway) a bit wobbly

¶5. The meeting was then joined by UK Ambassador Ian Cliff and DCM Hugh Evans, and further discussion ensued on the issue of non- or late signatories. UK pushed for some real benefits for latecomers, like assurances of positions in the various governmental structures to be set up. Ibok and Kingibe argued that signing these Declarations does not equate to rights to directly participate in implementation of the DPA. The UK ambassador felt that signers of Declarations of Accession would expect to be formally integrated into the process of implementation, and that this could be helpful in isolating Wahid while bringing his supporters into the deal. Charge and USAID Director offered this would diminish Minawi and would not be in keeping with the DPA, but agreed with the goal of increasing support for the DPA among the Fur and other communities. Charge commented that Minni should be encouraged to be inclusive of all those agreeing to the DPA (even if they did so late, and particularly non-Zaghawa), but it seemed appropriate that the Declaration of Accession did not explicitly promise them political positions (UK seemed to disagree). Kingibe noted with concern that Magzoub Khalifa has already stated that SLM-Minawi should only get one-third of the seats and "votes" in implementation allocated for the Movements since he does not represent the other two partners meant to sign - SLM-AW or JEM. The AU will not accept this interpretation. (Note: In another meeting where the Norwegian ambassador was present, he, too, took a more conciliatory line towards Abdul Wahid than ours.)

Darfur- Darfur dialogue

¶16. Ibok highlighted the importance of the Darfur-Darfur Dialogue as an important mechanism to create "buy-in" to the DPA from a broader base of Darfurians. While affirming the details outlined in the DPA, he noted that it will be important to see this as a process, and not just two discrete meetings (prepcom and conference). Ibok hopes that a series of smaller consultations across Darfur, possibly both before and after the prepcom, will provide an outlet for discussion and consensus among the people of Darfur and lead to the selection of representatives who could then attend the formal conference, perhaps obviating the need for 800-1000 individuals to gather for a month or more as currently conceptualized (note: Ibok refers to this concept of the conference as a "jamboree" and something to be avoided). The AU is still considering names, including some Sudanese, for the eminent person to chair the conference, but will proceed with planning and organizing the initial prepcom and other preparatory consultations in the meantime. USG and UK emphasized strong support to move the process forward quickly.

Comment

¶17. It is clear from this meeting and earlier discussions in the day with other donors that the AU's position on no further formal signatures and the alternative of signing a declaration of accession is not yet widely understood, as there are still some sentiments to continue to attempt to pull Wahid, or at least his supporters, formally into the deal. Post recommends that Department reconcile positions in capitals at least among the Troika-Plus. The degree of isolation of Wahid and JEM is a recurrent question in all manners of DPA implementation, ranging from presence in the Darfur JAM Core Coordinating Group (CCG) to how participation in the Joint Commission (JC) and Ceasefire Commission (CFC) should be modified post-Abuja. A balance between giving erstwhile supporters of SLM-AW and JEM reasons to support the DPA and respect its terms (e.g. security arrangements) while at the same time not rewarding the leaders of these movements must be found. The AU has determined that the Declarations of Accession are a way to encourage additional adherents without granting them automatic rights or undermining Minni.

Declaration of Accession

¶18. The copy of the declaration we received from the AU is

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still in draft. Introductory paras recall previous agreements relating to Darfur. Relevant para reads:

We, the undersigned, hereby declare that upon signature:

-- We shall be bound by the letter and spirit of the DPA and shall assume and implement the relevant obligations arising therefrom, especially those related to the Comprehensive Ceasefire Agreement and the Arrangements agreed therein.

-- We commit ourselves to ensure that all the Organs, Committees and Structures under our control including our members, shall comply with the provisions of the DPA.

-- The present Declaration shall be submitted to the Chairperson of the Commission of the AU for registration with the Secretary General of the UN.

STEINFELD